

North Carolina Agriculture Cost Share Program Review Summary
(January 2014)

County	Cleveland	Date of Previous Review/Report	2000
District Staff Name(s)	Stephen Bishop, Krista Parker	Date	2/6/2014
NRCS Staff Name(s)	Elton Barber		
Division Representative(s)	Lisa Fine, Davis Ferguson		
Additional Participants			

Questions	Division Findings				Division Comments	District Plan of Action Required		SWCD Plan of Action	Proposed Timeline for Implementation	Division Response to Plan of Action (date)
	Commendation	Recommendation	Corrective Action	No Concerns/ Not Applicable		Yes	No			
Section 1: Application Procedures and Tracking Progress (BMP Implementation and Payments) Questions in this section focus on how the district advertises the program, how applications are developed, how contracts are developed, how funds are tracked and how the board approves each.										
When do you schedule your board meetings?				X	Board meetings are set at 5:15 on the 2 nd Thursday of the month except for months with the Spring and Fall Area Meetings.		X			
How do you notify the public of the board meeting schedule and does it adhere to the Open Meetings Law?		X			A notice is posted on the bulletin board in the USDA building. Recommendation: the division recommends adding a notice to the	X		We now have a webpage to advertise the meeting dates on. We have also put the dates on the front of the office door, as well as	Already done	Plan of Action accepted.

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					outside door of the SWCD and consider the Cooperative Extension and FSA for notification areas. The district is trying to get the county to update the website.			the bulletin board at the Cooperative Extension.		
<i>When do you develop a conservation plan for a potential applicant?</i>				X	Stephen is currently learning toolkit now in order to write Conservation Plans. Stephen and Elton work together well on these items.		X			
<i>How do you assess the resource concerns on the farm to determine if a BMP is needed and feasible?</i>				X	The district receives requests from cooperators then they go and look at the farm on GIS and conduct a site visit. They check for any resource concerns and determine if a BMP is needed and feasible based on the concerns.		X			
<i>Are applications reviewed and approved by the Board as a separate action item?</i>	X				Yes, applications are reviewed as separate action items. Commendation: The minutes appear to be complete as required including the presentation of applications, contracts and RFPs		X			
<i>Are application decisions/motions recorded in the board minutes?</i>				X	Yes, these decisions are recorded in the minutes.		X			
Because applicants are limited when applying for incentive BMPs, how does your district track the applications for incentive BMPs? Is your district using the self-certification form provided by the division to track incentive BMPs.				X	The district does not do many incentives. They use a master spreadsheet to track applications. The district is aware of the self-certification form too.		X			

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Please describe how the district tracks applicants who are applying for multiple incentive BMPs or consecutive incentive BMPs.				X	The district does not have many incentive contracts. They use their master spreadsheet to track applicants. The county does not have big tracks of land so they do not feel that reaching the caps is ever going to be an issue for them.		X			
If multiple partners farm together, how the district tracks individual applicants as one operation?		X			Stephen knows most of the farmers now or someone else does like Elton. Recommendation: the division recommends the district check with FSA to see how applicants are registered with FSA so they can track applicants as one operation more efficiently.	X		When we begin the contract process, we will check with FSA to see how applicants are registered.	Will do with each new contract.	Plan of Action accepted.
Once applications are approved, how do you develop a contract?				X	Stephen has estimated costs for the BMPs and he conducts the site visit and writes contracts as close to the estimate as possible based on the resource concerns that need addressed.		X			
Describe how the district reviews the contract with the applicant. Do you explain that work cannot begin until the contract is approved by the division?				X	Once the paperwork is ready and put in a folder, the district has the cooperator come into the office and they walk through the forms and requirements with them in person including when work can begin.		X			
What procedures do you follow for notifying the applicant that work can begin?	X				The cooperator is told not to begin work until the division approves the contract and they get a call from		X			

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					Stephen. The district also sends a letter with timelines in it like 1/3 date, completion date. Commendation: this is a great way to make sure the cooperators are aware of his responsibilities and that he completes the work on time.					
What information do you provide the applicant?				X	The cooperators are given a copy of all contract forms, maps, job sheets, design info.		X			
<i>Are contracts reviewed and approved by the Board as a separate action item?</i>				X	Yes, contracts are reviewed as separate action items.		X			
<i>Are contract decisions/motions recorded in the board minutes?</i>				X	Yes, these decisions are recorded in the board minutes.		X			
Describe the district/board's procedure for approving supervisor contracts.				X	The district board treats supervisors the same as everyone else. No points given or taken away for being a supervisor.		X			
<i>Is it documented in the Board minutes that the supervisor abstained from discussing his/her own contract and from voting?</i>				X	Yes, it is documented in the minutes of supervisors abstaining from voting on their own contracts.		X			
What technical assistance do you provide during the BMP installation process to ensure the BMP is installed by the contract deadline?				X	Stephen tries to be out on the site depending on the project. For example, if it's a grassed waterway Stephen actually helps some. He knows the progress since he's on site.		X			

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					If he isn't on site and they have not heard from the cooperator in a while they will check on progress and follow-up.					
How do you track the Commission's interim performance milestone? One-third of the work must be completed within 12 months of division approval.		X			Stephen can check the master list for the approval date. Recommendation: the district should consider adding a column to their spreadsheet which includes the date for when 1/3 of the work should be done.	X		We will include the 1/3 date in our spreadsheet. Also, the new CS2 system has the 1/3 dates, which makes them a lot easier to track.	Already done	Plan of Action accepted.
Is the district recording 6-month extensions in the board minutes?		X			This extension probably has not been being done since staff is new. Recommendation: the division recommends sending another letter after the 12 months is up and asking them to appear before the board if they haven't already cancelled the contract.	X		Currently, everyone is still in compliance in terms of 1/3 dates, but we will track extensions when the need arise. We did have one contract that was past the 1/3 date, but it is now complete.	Will make sure we do this if contracts elapse 1/3 date.	Plan of Action accepted. Please record in minutes if a 6 month extension is granted.

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What documentation do you include in the contract file that certifies that the BMP was inspected and is installed to the standards and specifications?		X			The conservation 6 notes are included in the file with notes on BMPs. There are pictures of installations, field check notes with Cindy Safrit or Elton Barber signing off. Recommendation: since Stephen is still learning the division recommends that the district fill out the check out section of the standards and specs sheets so he can see what to look for during check-outs.	X		I'm working on collecting enough check out documentation that I can apply for job approval authority on watering tanks, waterways, preliminary pond design and construction oversight. I have been taking notes at checkout and learning what to look for each particular practice.	In progress	Excellent Work!! Plan of Action complete.
Are BMPs measured then certified before the request for payment is approved? How is this documented?				X	Yes, BMPs are measured and noted in the field notes.		X			
Are receipts received and reviewed for CSP BMPs that are based on actual cost?				X	Yes, receipts are reviewed and kept in the CPO files for actual cost items.		X			
Are request for payments reviewed and approved by the board as a separate action item?				X	Yes, RFPs are reviewed and approved by the board as separate action items.		X			
If the BMPs are not installed by the end of the third program year per Commission policy, how does the district request a one-year extension?				X	There have been no extensions since Stephen has been there. I did explain the process to him and it is online as well.		X			
<i>Are payment decisions/motions recorded in the board minutes?</i>				X	Yes, the decisions were recorded in the minutes.		X			
Section 2: Spot Checks and Compliance Issues Questions in this section focus on how the district reviews BMPs for compliance and how maintenance and/or non-compliance issues are addressed.										


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Who participates in annual spot checks? When are they conducted?				X	Now it is Stephen, Krista, Elton and at least 3 supervisors. The last one was June. Usually multiple supervisors go. Note: if you have a quorum of supervisors going it has to be treated as an official board meeting and announced.		X			
How does the district select which contracts to spot check?	X				The district determines the number of active contracts then they get numbered. Krista or Elton pick a random number. The district does go back if the contract selected was recently spot checked. Commendation: this system appears to be totally random as long as you don't always start at the same number.		X			
Are all BMPs under the waste management category spot checked for the first five years after installation? This applies to all farms that fall under the thresholds that are regulated by DWQ.		X			There have been no new waste projects in 5 years. Recommendation: the district should mark on spreadsheet all waste contracts and if they are not picked randomly to review then add them in to the pot.	X		We will add a column to our master spreadsheet to track that.	Already done	Plan of Action accepted.
How does the district review five percent of all waste utilization plans?				X	Elton probably has done a few but the district has not been doing this. They only have 5 dairies left in the county and not many other waste generating farms.		X			


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How does the district notify the NRCS area office (for ACSP contracts) or division (for CCAP contracts) to conduct spot checks on lands owned or operated by a district, county, division or NRCS employee or district supervisor? This includes CPOs, revisions, supplements or repairs.			X		The district has not been having this done. Corrective Action – the district should notify the Area Office to have any of these types of contracts reviewed by a rep from the Area Office within one year of completion. Don't wait for the every 5 year review by NRCS.	X		If we have any new contracts with supervisors or employees, we will contact the area office to make sure the NRCS checks them within one year of completion.	Will be sure to do if situation arises	Plan of Action accepted. Must be done within one year of completion.


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The North Carolina Statute 02 NCAC 59D.0107(f) states "If the technical representative of the district determines that a BMP for which program funds were received has been destroyed or has not been properly maintained, the applicant will be notified that the BMP must be repaired or re-implemented within 30 working days. For vegetative practices, applicants are given one calendar year to re-establish the vegetation" How does your district notify individuals that have destroyed or mismanaged a BMP?		X			The district has not had many of these. They recently sent a letter to supervisor. The supervisor approached Bryon (previous technician) about paying back and he did. I brought this check back to Raleigh with me. The district is not aware of any others at this time. Recommendation: the district staff can write the letter but have the chair sign the letter that is sent to cooperators. In this case, however, the vice-chair would need to sign because the chair is the one out-of-compliance.	X		We will call the landowner first. If he/she resists correcting the problem or paying a refund, we will send a certified letter explaining the repercussions. If the bmp isn't fixed at this point, then we will send the information to the division for enforcement action from the attorney general.		Plan of Action accepted. However, the phone call must be documented and response recorded in district records and 6 notes for the specific contract.
How are supervisors notified of BMPs that are found to be destroyed or mismanaged at any time throughout the year?				X	The district had not had a board meeting before this last instance occurred. The board was notified that this would be coming before them.		X			
When does the district provide a written notice that the BMP must be repaired or re-implemented within 30 working days? (Vegetative practices have to be reestablished within one calendar year.) Is a copy of the notification kept with the CPO?				X	The district has not had any before this most recent one in which the supervisor brought the issue to the board himself. I notified Stephen of the process for this during the program review.		X			
If the BMP was not repaired or re-implemented, was repayment requested? Please provide documentation.				X	The supervisor offered to pay back and he did. I have the documentation here. It is "in process" now of being refunded.		X			



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Is the district notifying the division of non-compliance and resolutions?		X			Yes, the district did notify the division of this instance. There was no notification for any prior instances. Recommendation: the district should notify the cost share staff of maintenance and non-compliance by copying letters and sending to Raleigh.	X		We will make sure to copy the division on any correspondence about non-compliance.	immediately	Plan of Action accepted.
Section 3: Record Keeping Questions in this section focus on how funds are managed and accounted for, maintaining proper design and job approval authority, as well as disclosure forms.										
How does the district track BMP funds?				X	The district uses a master spreadsheet that they break out into years to track BMP funds. Davis showed them the Transylvania color-coded spreadsheet that we like and gave them a copy of it to look over.		X			
How does the district use the division on-line (website) reports?				X	The district is not really using this now but I told Stephen how it might be useful to use right now.		X			
How are your BMP funds audited? What is the date of the last audit? Who performed the audit? Was the BMP audit form completed and notarized?				X	The BMP certification form is audited by the board and notarized by Cindy in FSA. It was uploaded to our site.		X			
How are technical assistance funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?		X			The TA funds are tracked in the county budget that Krista keeps in her office. They are audited by the county by an outside agency. Recommendation: the district should check with the County Finance Office again to see if they can get a letter stating that the	X		We have an interim finance director and are currently waiting for a letter stating that the TA funds are audited by the outside agency. The former finance director verbally confirmed that an outside agency did audit our funds.	In progress	Plan of Action accepted. When the district receives written confirmation, a copy should be


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					state funds that the district received were audited and were OK.					forwarded to the division cost share specialist.
Who in the office is funded by Cost Share Technical Assistance (TA) from the State?				X	Stephen		X			
How are operating funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The operating funds are tracked in the county budget that Krista keeps in her office. They are audited by the county by an outside agency.		X			
How are matching funds tracked? Are they audited? What is the date of the last audit? Who performed the audit?				X	The matching funds are tracked in the county budget that Krista keeps in her office. They are audited by the county by an outside agency.		X			
How much time is spent on cost share program (ACSP, CCAP, AgWRAP) contracts and BMP implementation? How is that tracked?				X	Stephen spends approximately 80% of his time on state cost share program implementation. Time is tracked on the TA timesheet now.		X			
Is proper job approval authority (JAA) documented for each technical and cost share position?				X	Stephen does not have any job approval yet but he is working on portfolios for some practices. He has also gone with Sam Bingham on pond evaluations.		X			

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Do district supervisors complete supervisor forms when they have a financial interest in an entity requesting a cost share contract?				X	Yes, these forms were located in the district files.		X			
Section 4: Contract Reviews and Site Visits Below is a list of the contracts the division reviewed. Spot checks were also conducted. Notes include recommendations and/or corrective action for contract files as well as the BMP. Contracts/BMPs are listed by contract number.										
Contract Number: 23-2009-512 Applicant Name: Randy McDaniel BMP: pasture renovation 				X	There is now a house on this property. It was found a couple years ago but the refund process did not occur then. I collected the refund check while I was in the office conducting the program review and it has been processed. Contract file complete.		X	This was a corrective action but since the correction process had already taken place and the refund check written and collected on the day of the review, no further action needs to be taken.		Complete.

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Contract Number: 23-2012-002 Applicant Name: Killdeer Farm (Ervin Lineberger) BMP: agriculture pond restoration and repair 				X	No concerns. Contract file complete.		X			
Contract Number: 23-2003-427 Applicant Name: Harry Sain BMP: fence, tank, heavy use area		X			The backflow prevention device broke on the tank during the polar vortex. The cooperator is in the process of fixing it soon. Contract file complete. Recommendation: the district should	X		We followed up, and the backflow preventer is fixed.	complete	Plan of Action accepted. Correction completed.

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					follow-up with the cooperator to make sure the system is in working condition and report to the division cost share staff on progress.					
Contract Number: 23-2004-440 Applicant Name: Ronnie McCraw BMP: cropland conversion to trees				X	No concerns. Contract file complete. The district was interested in learning about the substitution of parties form for this contract which can be found here: http://www.ncagr.gov/SWC/costshareprograms/Forms.html If this form needs to be filled out for this contract, please submit to the		X			

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					division cost share staff.					
Contract Number: 23-2008-478 Applicant Name: Jeff Cornwell BMP: manure spreader 				X	No concerns. Contract file complete.		X			

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Contract Number: 23-2009-502/23-2010-521 Applicant Name: Ervin Lineberger BMP: Agrichemical Handling Building 				X	No concerns. Contract file complete.		X			